

In the High Court of Punjab and Haryana at Chandigarh

Income Tax Appeal No. 44 of 2004

Date of Decision: 21.01.2008

Commissioner of Income Tax-I, Ludhiana.

...Appellant.

VERSUS

M/s Vardhman Polytex Limited, Chandigarh Road, Ludhiana.

...Respondent.

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE RAJESH BINDAL**

Present: Mr. S.K.Garg Narwana, Advocate
for the appellant.

Mr. M.S.Syali, Senior Advocate with
Mr. Satyen Sethi, Mr. Akshay Bhan and
Ms. Mahua C. Kalra, Advocates
for the respondent.

RAJESH BINDAL, J.

The revenue has approached this Court by filing the instant appeal under Section 260-A of the Income Tax Act, 1961 against the order of Income Tax Appellate Tribunal, Chandigarh Bench 'B', Chandigarh, passed in I.T.A. No. 657/Chandi/97 and I.T.A. No. 710/Chandii/97 dated 20.8.2003 in respect of assessment year 1993-94. It is claimed that the following substantial question of law would arise for determination of this Court:-

“Whether on the facts and circumstances of the case, the Hon’ble Income Tax Appellate Tribunal was justified in deleting the addition of Rs. 1,03,93,864/- on account of interest by ignoring Explanation 8 to Section 43(1)?”

For the detailed reasons stated in our separate judgment delivered today in ***Commissioner of Income Tax-I, Ludhiana v. M/s Vardhman Polytex Limited, Chandigarh Road, Ludhiana I.T.A. No. 1 of 2003***, the substantial question of law arising in the present appeal is answered in favour of the revenue and against the assessee.

The appeal is disposed of accordingly.

(Rajesh Bindal)
Judge

(Adarsh Kumar Goel)
Judge

(M.M.Kumar)
Judge

January 21, 2008
“DK”